

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

In re: SAFINA N. MBAZIRA, \*

\*

Debtor. \*

\*\*\*\*\*

US BANK NA, AS TRUSTEE OF THE \*

J.P. MORGAN MORTGAGE \*

ACQUISITION CORP. 2005-FRE1 ASSET \*

BACKED PASS-THROUGH \*

CERTIFICATES, SERIES 2005-FRE1 and \*

OCWEN LOAN SERVICING, LLC, \*

\*

Appellants, \*

v. \*

Civil Action No. 15-cv-11682-IT

\*

SAFINA N. MBAZIRA, \*

\*

Appellee. \*

\*\*\*\*\*

SAFINA N. MBAZIRA, \*

\*

Appellant, \*

v. \*

Civil Action No. 15-cv-11683-IT

\*

US BANK NA, AS TRUSTEE OF THE \*

J.P. MORGAN MORTGAGE \*

ACQUISITION CORP. 2005-FRE1 ASSET \*

BACKED PASS-THROUGH \*

CERTIFICATES, SERIES 2005-FRE1 and \*

OCWEN LOAN SERVICING, LP, \*

\*

Appellees. \*

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SCHEDULING ORDER ON MOTION TO CERTIFY QUESTIONS

July 13, 2015

TALWANI, D.J.

1. The parties shall submit to this Court a joint motion to certify questions on or before

July 22, 2015; or

2. In the event the parties cannot agree on a joint motion, Appellants U.S. Bank National Association, as Trustee of the J.P. Morgan Mortgage Acquisition Corp. 2005-FRE1 Asset Backed Pass-Through Certificates, Series 2005-FRE1 and Ocwen Loan Servicing, LP shall submit a motion to certify questions on or before July 24, 2015, and Appellee Safina N. Mbazira shall file a response on or before July 31, 2015.

Any motion filed should address Mortg. Elec. Registration Sys., Inc. v. Agin (In re Giroux), No. 09-cv-10988-PBS, 2009 WL 3834002 (D. Mass. Nov. 17, 2009). Specifically, the motion (or motions) should explain why the parties disagree with In re Giroux's determination that Massachusetts law is sufficiently clear so as to allow a reasonable federal court to predict its course, making certification inappropriate.

IT IS SO ORDERED.

July 13, 2015

/s/ Indira Talwani  
United States District Judge